

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CRIMINAL ACTION NO.: 3:21-CR-49-2  
(Chief Judge Groh)**

**DIANA TOEBBE,**

**Defendant.**

**NOTICE OF APPEAL**

On this date, I, Diana Toebe, Defendant in the above named case hereby appeals to the United States Court of Appeals for the Fourth Circuit from the judgment entered in this action on November 17, 2022.

**DEFENDANT  
BY COUNSEL**

/s/ Barry P. Beck  
Barry P. Beck  
Power, Beck & Matzreff  
308 West Burke Street  
Martinsburg, WV 25401  
(304) 264-8870

/s/ Jessica Carmichael  
Jessica Carmichael  
CARMICHAEL ELLIS & BROCK  
Counsel for Diana Toebe  
108 N. Alfred Street, 1st Fl  
Alexandria, Virginia 22314  
703.684.7908 / Fax 649.6360  
[jessica@carmichaellegal.com](mailto:jessica@carmichaellegal.com)

**CERTIFICATE OF SERVICE**

I, Barry P. Beck, counsel for Defendant, hereby certify that on the 29th day of November, 2022, the foregoing **NOTICE OF APPEAL** was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Barry P. Beck  
Barry P. Beck